

REGISTRY OF ELECTION FINANCE

The Registry of Election Finance met Wednesday, November 12, 2008, at Suite 1614 of Parkway Towers, 404 James Robertson Parkway, Nashville, Tennessee.

Presiding over the meeting was Chairperson William Long. Attending the meeting were board members George Harding, Patricia Heim, Wade Hinton, Darlene McNeece and Lee Anne Murray.

On motion by Harding, seconded by McNeece, the board voted unanimously to approve the minutes from the October 8, 2008 regular board meeting. The motion passed the board unanimously.

Show Cause Hearings

08-56 CWA District 3 Political Education Committee, for failing to report one (1) expenditure to a candidate on the organization's 2008 pre-primary campaign financial disclosure report. Class two (2), maximum ten thousand dollar (\$10,000) civil penalty. The organization has had no previous matters before the board.

The board voted at its October 8, 2008 meeting to issue the organization a show cause notice.

John Quinn and Thelma Dunlap, representatives for the organization, personally appeared before the board and explained why the organization failed to report the expenditure.

A motion was made by Harding, seconded by Hinton, to take no action in this matter. The motion to take no action failed the board 3 to 3, with Heim, McNeece and Murray voting "no." A motion was made by Heim, seconded by McNeece, to assess the organization a \$100 civil penalty. The motion to assess the organization a \$100 civil penalty passed the board unanimously.

08-57 Murfreesboro Firefighters Assn. Local 3035 PAC, for failing to report one (1) expenditure to a candidate on the organization's 2008 pre-primary campaign financial disclosure report. Class two (2), maximum ten thousand dollar (\$10,000) civil penalty. The organization has had no previous matters before the board.

The board voted at its October 8, 2008 meeting to issue the organization a show cause notice.

John Avaritt, treasurer for the organization, submitted a sworn statement for the board's consideration.

On motion by Murray, seconded by Heim, the board voted unanimously to assess the organization a \$25 civil penalty.

Sworn Statements Submitted

08-49 Citizens for the Future of Memphis, for failure to file a 2008 pre-primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. The organization has had no previous matters before the board.

The board voted at its October 8, 2008 meeting to issue the organization a show cause notice.

Seandria Echols, treasurer for the organization, submitted a statement for the board's consideration.

Director Rawlins informed the board that the organization mistakenly registered with the Registry and that they have closed their PAC with the Registry.

On motion by Heim, seconded by McNeece, the board voted unanimously to take no further action in this matter.

08-51 Iron Workers Local 167 Political Action League, for failure to file a 2008 pre-primary campaign financial disclosure report. Class two (2), 37 days late, maximum ten thousand (\$10,000) civil penalty. The organization has had no previous matters before the board.

The board voted at its October 8, 2008 meeting to issue the organization a show cause notice.

Michael Scoggins, treasurer for the organization, submitted a sworn statement for the board's consideration.

A motion was made by Murray, seconded by McNeece, to assess the organization a \$150 civil penalty. A friendly amendment was made by Hinton, accepted by Murray and McNeece, to assess the organization a \$100 civil penalty. The motion to assess the organization a \$100 civil penalty passed the board unanimously.

08-54 Tennessee Home Education PAC, for failure to file a 2008 pre-primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. The organization has had no previous matters before the board.

The board voted at its October 8, 2008 meeting to issue the organization a show cause notice.

Michael Yates, treasurer for the organization, submitted a statement for the board's consideration.

A motion was made by Heim to assess the organization a \$25 civil penalty. Heim then withdrew the motion. A motion was made by Harding to take no action in the matter. The motion to take no action died for a lack of a second. A motion was made by McNeece to assess the organization a \$150 civil penalty. The motion to assess the organization a \$150 civil penalty died for a lack of a second. A motion was then made by Murray, seconded by Heim, to assess the organization a \$100 civil penalty. The motion to assess the organization a \$100 civil penalty passed the board unanimously.

08-58 Tennessee Truck PAC, for failing to report one (1) expenditure to a candidate on the organization's 2008 2nd quarter campaign financial disclosure report.

Class two (2), maximum ten thousand dollar (\$10,000) civil penalty. The organization has had no previous matters before the board.

The board voted at its October 8, 2008 meeting to issue the organization a show cause notice.

J. B. Baker, treasurer for the organization, submitted a sworn statement for the board's consideration.

On motion by Heim, seconded by Murray, the board voted unanimously to assess the organization a \$25 civil penalty.

Cases Subject to Approval of Civil Penalty Order

08-42 Bill Brown, for failure to file a 2008 pre-primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Brown has had no previous matters before the board.

The board voted at its October 8, 2008 meeting to issue the organization a show cause notice.

Director Rawlins informed the board there has been no response to the show cause notice and that the report still has not been filed.

On motion by Murray, seconded by Heim, the board voted unanimously to assess Mr. Brown a \$10,000 civil penalty.

08-43 Virgil Kidwell, for failure to file a 2008 pre-primary campaign financial disclosure report. Class two (2), 50 days late, maximum ten thousand (\$10,000) civil penalty. Mr. Kidwell has had a previous matter before the board.

The board voted at its October 8, 2008 meeting to issue the organization a show cause notice.

Director Rawlins informed the board there has been no response to the show cause notice.

A motion was made by Harding, seconded by Hinton, to assess Mr. Kidwell a \$10,000 civil penalty. Harding then withdrew the motion. A motion was made by McNeece to assess Mr. Kidwell a \$100 civil penalty. The motion was seconded by Murray with a friendly amendment to reduce the \$100 civil penalty to a \$50 civil penalty. McNeece accepted the friendly amendment to reduce the \$100 civil penalty to \$50. The motion to assess Mr. Kidwell a \$50 civil penalty passed the board unanimously.

08-44 Lisa Kleis, for failure to file a 2008 pre-primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. Kleis has had no previous matters before the board.

The board voted at its October 8, 2008 meeting to issue the organization a show cause notice.

Director Rawlins informed the board that the report has been filed but that there has been no response to the show cause notice.

On motion by Heim, seconded by Murray, the board voted unanimously to assess Ms. Kleis a \$50 civil penalty.

08-50 General Motors PAC, for failure to timely file a 2008 pre-primary campaign financial disclosure report. Class one (1), 11 days late, maximum two hundred seventy-five dollar (\$275) civil penalty. The organization has had no previous matters before the board.

The board voted at its October 8, 2008 meeting to issue the organization a show cause notice.

Director Rawlins informed the board there has been no response to the show cause notice but that the organization submitted a payment for \$275, the full amount of possible civil penalties.

On motion by Heim, seconded by Harding, the board voted unanimously to assess the organization a \$275 civil penalty.

08-52 Madison County Democratic Executive Committee, for failure to file a 2008 pre-primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. The organization has had no previous matters before the board.

The board voted at its October 8, 2008 meeting to issue the organization a show cause notice.

Director Rawlins informed the board that the report has been filed but that there has been no response to the show cause notice.

On motion by Murray, seconded by McNeece, the board voted unanimously to assess the organization a \$250 civil penalty.

Cases Considered for Issuance of Show Cause Notice

Rubin Adams, for failure to timely file a 2008 3rd quarter campaign financial disclosure report. Class one (1), six days late, maximum one hundred fifty (\$150) civil penalty. Mr. Adams has had no previous matters before the board.

On motion by Heim, seconded by Murray, the board voted unanimously to issue a show cause notice.

Eric Stansell, for failure to timely file a 2008 3rd quarter campaign financial disclosure report. Class one (1), two days late, maximum fifty (\$50) civil penalty. Mr. Stansell has had no previous matters before the board.

On motion by Heim, seconded by Murray, the board voted unanimously to take no action in this matter.

Brenda Woods, for failure to timely file a 2008 3rd quarter campaign financial disclosure report. Class one (1), two days late, maximum fifty (\$50) civil penalty. Ms. Woods has had previous matters before the board.

On motion by Heim, seconded by Murray, the board voted unanimously to take no action in this matter.

Support Tennessee Grapes and Wines, for failure to timely file a 2008 3rd quarter campaign financial disclosure report. Class one (1), one day late, maximum twenty-five (\$25) civil penalty. The organization has had no previous matters before the board.

On motion by Heim, seconded by Murray, the board voted unanimously to take no action in this matter.

Zeneca Inc. PAC, for failure to timely file a 2008 3rd quarter campaign financial disclosure report. Class one (1), five days late, maximum one hundred twenty-five (\$125) civil penalty. The organization has had no previous matters before the board.

On motion by Heim, seconded by Murray, the board voted unanimously to take no action in this matter.

Sworn Complaints

Rosalind Kurita and Kurita Majority PAC

Director Rawlins provided the board with a sworn complaint with attached documentation filed with the Registry from Ricky Wallace against Rosalind Kurita, a candidate for state senate in the twenty-second district, for possible violations of the campaign financial disclosure law.

On motion by Murray, seconded by Hinton, the board voted unanimously to issue a show cause notice to Rosalind Kurita and to the Kurita Majority PAC for violations of the campaign financial disclosure law and campaign contribution limits act.

Terri Lynn Weaver

Director Rawlins provided the board with a sworn complaint with attached documentation filed with the Registry from Zachary Kelley against Terry Lynn Weaver, a candidate for state representative in the fortieth district, for exceeding the contribution limit from an individual.

On motion by Murray, seconded by Hinton, the board voted unanimously to issue Rep. Weaver a show cause notice for exceeding the contribution limit from an individual.

Moving Unto Majority

Director Rawlins provided the board with a sworn complaint with attached documentation filed with the Registry from Donald Cochran against Moving Unto Majority for possible violations of the campaign financial disclosure law.

Director Rawlins informed the board that because the expenditures were reported by MUMPAC the organization is in compliance with the campaign financial disclosure laws.

On motion by Heim, seconded by Murray, the board voted unanimously to take no action in this matter.

Reported Financial Expenses

Director Rawlins provided the board members with a list of civil penalties that have been paid year to date.

Director Rawlins presented the expenditure reports for the 2006/2007 fiscal year through September 30, 2008.

Executive Director's Report

- Director Rawlins informed the board that because of the annual COGEL Conference that will be attended by two staff members, the next regularly scheduled meeting will be held on December 17, 2008.

Other Business

Long, seconded by Murray made a motion, to adjourn the meeting until the next regularly scheduled meeting. The motion passed unanimously.